

S/N 10/780,827**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Thomas M. Rezachek et al.	Examiner:	Jonathan Crepeau
Serial No.:	10/780,827	Group Art Unit:	1795
Filed:	February 18, 2004	Docket:	H0004291.65262
Title:	ELECTRICAL POWER GENERATOR		

RULE 132 DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Thomas M. Rezachek declare and say as follows:

1. I am a co- inventor of the invention described and claimed the present application along with Roland A. Wood. I make this declaration in support of the patentability of several claims in the present application.

2. I am familiar with the Office Action mailed January 30, 2008 in the prosecution of the present application, the rejections and art cited therein, and I believe that I understand the Examiner's arguments in support of his rejections of claims 5, 9, 12, 14, 19, 21-23, 29, and 30 of the present application.

3. I understand the Examiner's analysis asserting that claims 1-4, 6-8, 10, 11, 13, 15-18, and 24-27 are supported by U.S. Serial Number 09/941,247 and are accorded a filing date of August 8, 2001.

I also understand the Examiner's analysis asserting that claims 12, 14, 19, 21, 23, 29, and 30 are supported by U.S. Serial No. 60/448,573 and are accorded a filing date of February 19, 2003.

I further understand the Examiner's analysis asserting that claims 5, 9, and 22 are not supported by either of the above applications and thus are accorded a filing date of the present application, February 18, 2004.

DECLARATION UNDER 37 C.F.R. § 1.132

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4. I understand that Claim 12 was rejected under 35 U.S.C. § 102(e) as being anticipated by Wood (U.S. Patent Application Publications 2003/0044656 and 2006/0040152). I understand that this rejection can be overcome if any invention disclosed but not claimed in the Wood references was derived from Roland A. Wood, the co-inventor of the present application.

5. I also understand that Claims 14, 19, 21, 22, and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood (U.S. Patent Application Publications 2003/0044656 and 2006/0040152). I also understand that this rejection can be overcome if any invention disclosed but not claimed in the Wood references was derived from Roland A. Wood, the co-inventor of the present application.

6. I further understand that Claims 5 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood (U.S. Patent Application Publications 2003/0044656 and 2006/0040152 in view of WO 01/85606). I also understand that this rejection can be overcome if any invention disclosed but not claimed in the Wood references was derived from Roland A. Wood, the co-inventor of the present application.

7. I still further understand that Claims 29 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wood (U.S. Patent Application Publications 2003/0044656 and 2006/0040152 in view of Bostaph et al. (U.S. Patent Application Publication 2002/0076589)). I also understand that this rejection can be overcome if any invention disclosed but not claimed in the Wood references was derived from Roland A. Wood, the co-inventor of the present application.

8. I hereby declare that although Roland A. Wood and I are inventors of subject matter which is disclosed and claimed in the present application as stated in the combined Declaration and Power of Attorney filed as part of the present application, I am not an inventor of the subject matter of claims 5, 9, 12, 14, 19, 21, 22, 23, 29, and 30 in the present application. The subject matter of claims 5, 9, 12, 14, 19, 21, 22, 23, 29, and 30 were derived from Roland A.

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Wood, the sole inventor of U.S. Patent Application Publications 2003/0044656 and 2006/0040152.

9. I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 4/4/08By: Thomas M. Rezachek
Thomas M. Rezachek